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11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF NEVADA**

13 MELVIN TURPIN,

14 Plaintiff,

15 vs.

16 TROPICANA LAS VEGAS HOTEL AND  
17 CASINO, INC.; TROPICANA RESORT &  
CASINO, LLC; DOES I through X AND  
18 ROES XI through XX, inclusive,

19 Defendants.

Case No.: 2:14-cv-01782-GMN-PAL

**STIPULATION AND ORDER TO  
EXTEND THE DEADLINE FOR  
FILING DISPOSITIVE MOTIONS**

**(FIRST REQUEST)**

20  
21 Pursuant to LR 6-1, 6-2, 7-1, and 26-4, Plaintiff Melvin Turpin ("Plaintiff") and Defendant  
22 Tropicana Las Vegas, Inc. ("Tropicana" or "Defendant") by and through their respective  
23 undersigned counsel, hereby stipulate to extend the dispositive motion deadline and subsequent  
24 deadlines in the Discovery Plan and Scheduling Order. (*see* Dkt. # 13.) This is the parties' first  
25 request.

26 The parties request a brief thirty (30) day extension of time, up to and including **November**  
27 **13, 2015**, for the limited purpose of filing dispositive motions. While the parties have completed  
28 most of the discovery in this case, good cause exists for the proposed extension of time to file and

1 respond to dispositive motions. Plaintiff's deposition is set for September 24, 2015. The parties  
 2 would like the additional time to receive and review Plaintiff's deposition transcript to adequately  
 3 prepare dispositive motions and respond to the same. Further complicating matters, defense  
 4 counsel is going to be out of the country for approximately two (2) weeks and would like the  
 5 additional time to adequately prepare any dispositive motion Defendant sees fit.

6 Accordingly, the parties request a brief thirty (30) day extension of time, up to and  
 7 including **November 13, 2015**, to file dispositive motions.

8 Pursuant to LR 26-4, the parties provide the following statement in support of this  
 9 stipulation to extend the deadlines as provided in the Discovery Plan and Scheduling Order:

10 **I. DISCOVERY COMPLETED TO DATE**

11 Plaintiff and Defendants have both served their Rule 26(a)(1) Initial Disclosures and  
 12 Defendant has served supplements thereto. Defendant served a First Set of Requests for  
 13 Production of Documents and Interrogatories upon Plaintiff, to which Plaintiff responded

14 Defendant has also noticed Plaintiff's deposition for September 24, 2015 at 10:00 a.m.

15 **II. REMAINING DISCOVERY TO BE COMPLETED**

16 Defendant intends to depose Plaintiff in order to complete discovery.

17 **III. REASONS DISCOVERY CANNOT BE COMPLETED WITHIN THE ORIGINAL DEADLINE**

18 As set forth herein, scheduling conflicts created a need to take Plaintiff's deposition outside  
 19 the close of discovery on September 24, 2015. Therefore, the parties would like the additional  
 20 time to adequately prepare and respond to dispositive motions subject to receipt of Plaintiff's  
 21 deposition transcript.

22 **IV. REVISED PROPOSED DISCOVERY PLAN**

23 All discovery in this case will be conducted in accordance with the Federal Rules of Civil  
 24 Procedure and applicable Local Rules of this District Court. The parties propose to the Court the  
 25 following cut-off dates:

26 (a) **Dispositive Motions: November 13, 2015**, which is thirty (30) days from the  
 27 present deadline.  
 28

(b) **Motions in Limine/Daubert Motions:** Pursuant to Local Rule 16-3(b), any motions in limine, including *Daubert*-type motions, shall be filed and served thirty (30) days prior to trial. Oppositions shall be filed and served and the motion submitted for decision fourteen (14) days thereafter. Reply briefs shall only be allowed with leave of court, unless the District Judge issues an order with a different deadline or briefing schedule.

(c) **Joint Pre-Trial Order:** The Pretrial Order shall be filed no later than **December 14, 2015**, which is thirty-one (31) days, as the 30<sup>th</sup> day is a Sunday after the deadline to file dispositive motions. In the event dispositive motions are filed, the date for filing the Joint Pre-Trial Order shall be suspended until thirty (30) days after decision on the dispositive motions or further order of the Court.

(d) **Fed. R. Civ. P. 26(a)(3) Disclosures:** The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the final pretrial order in accordance with Local Rule 26-1(e)(6).

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(e) **Extension or Modification of the Discovery Plan and Scheduling Order:** In

accordance with Local Rule 26-4, any motion or stipulation to extend a deadline set forth in this Discovery Plan and Scheduling Order shall be received by the Court no later than twenty-one (21) days before the expiration of the subject deadline.

IT IS SO STIPULATED.

DATED this 23<sup>rd</sup> day of September, 2015.

Holman Law Office

/s/ Kristina S. Holman

Kristina S. Holman, Esq.  
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Las Vegas, Nevada 89101  
Telephone: 702. 614.4777

*Attorneys for Plaintiff*

DATED this 23<sup>rd</sup> day of September, 2015.

Ogletree, Deakins, Nash, Smoak &  
Stewart, P.C.

/s/ Anthony L. Martin

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*Attorneys for Defendant Tropicana  
Las Vegas, Inc.*

**ORDER**

IT IS SO ORDERED.

  
UNITED STATES MAGISTRATE JUDGE

September 24, 2015

Dated